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May 12, 2004

**By Hand Delivery**

Marlene Dortch, Esquire

Secretary

Federal Communications Commission

445 12<sup>th</sup> Street, S.W.

Washington, D C. 20554

Attention: Audio Division

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MAY 12 2004

FEDERAL COMMUNICATIONS COMMISSION  
OFFICE OF THE SECRETARY

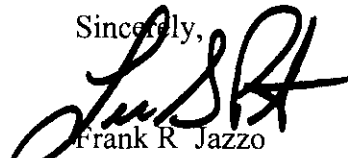
Re: MB Docket No. 04-12  
RM-10834  
Russellville and Littleville, Alabama

Dear Ms. Dortch.

Transmitted herewith is an original and four copies of Mike Self's Reply in the above-referenced proceeding.

Should there be any questions regarding this matter, please contact undersigned counsel.

Sincerely,

  
Frank R Jazzo  
Lee G. Petro

Counsel for Mike Self

Enclosures

cc: As shown in Certificate of Service

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Before the  
FEDERAL COMMUNICATIONS COMMISSION  
Washington, D.C. 20554

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MAY 12 2004

In re: \_\_\_\_\_ }  
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 }  
**Amendment of Section 73.202(b),** }  
**FM Table of Allotments,** }  
**For FM Broadcast Stations** }  
 }  
**(Russellville and Littleville, Alabama)** }

**MB Docket: 04-12**  
**RM-10834**

FEDERAL COMMUNICATIONS COMMISSION  
OFFICE OF THE SECRETARY

**TO: Assistant Chief (Allocations)**  
**Audio Division**

**REPLY TO OPPOSITION TO**  
**PETITION FOR RECONSIDERATION**

Mike Self, by and through his attorneys, and pursuant to Section 1.106(h) of the Commission's rules, hereby submits this Reply in response to the Opposition filed by Clear Channel Broadcasting Licenses, Inc. ("Clear Channel") on April 28, 2004, relating to the above-referenced proceeding. Mr. Self filed a Petition for Reconsideration of the reallocation of Channel 278A from Russellville, Alabama, to Littleville, Alabama, on April 14, 2004 (the "Petition"), which was authorized in the Report and Order released on April 14, 2004.<sup>1</sup>

As discussed in more detail below, the Order must be rescinded, and the FCC must reconsider the reallocation proposal. As previously raised by Mr. Self, the reallocation of Channel 278A to Littleville, and the resulting licensing of Station WMXV(FM) at Littleville, is merely a pit-stop in the attempt by Clear Channel to move a previously rural station into a more urbanized market. In doing so, Clear Channel flies in the face of all economic logic by abandoning Russellville to move to a tiny, rural community. The only rational reason for the

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<sup>1</sup> *FM Table of Allotments, Russellville and Littleville, AL*, Report and Order, DA 04-972 (rel. April 14, 2004) (the "Order"). Public Notice of the Order was published in the Federal Register on May 10, 2004. See 69 Fed. Reg. 25,845 (rel. May 10, 2004)

proposed change is to provide greater service to the Florence-Muscle Shoals radio metro market, rather than provide a first local service to Littleville, Alabama, a town with the population of 978 people. As compared to Russellville, with a population nine times greater (8,971 persons), there can be no other reason for such a proposal.

In fact, in its Opposition, Clear Channel continued to fail to provide one. Instead, it merely provided a *Tuck* analysis to argue that Littleville, Alabama, is sufficiently independent of the Florence Urbanized Area to warrant a first service preference. However, an attempt to demonstrate the independent status of Littleville does not respond to the public interest concerns that a previously rural allotment is moving into an urban market. Moreover, Clear Channel's *Tuck* analysis does not clearly establish Littleville's independence from the Florence Urbanized Area. Instead, it raises serious concerns that the Commission must consider in resolving this allotment proceeding.

## **I. BACKGROUND**

In his Comments in the proceeding, Mr. Self noted that Littleville lacks any community-based schools, a post office, a hospital, or fast food chains.<sup>2</sup> Moreover, Mr. Self noted that the proposed reallocation would leave Russellville without any full-time local aural services.<sup>3</sup>

As demonstrated in the Petition, Mr. Self filed his comments with the Commission on March 12, 2004.<sup>4</sup> For some inexplicable reason, the FCC's internal copy of the Comments were re-stamped on March 17, 2004, and the Comments were treated as late-filed.<sup>5</sup> However, even if

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<sup>2</sup> *Comments of Mike Self*, filed March 12, 2004, pg. 1

<sup>3</sup> *Id*

<sup>4</sup> *See Petition*, Exhibit 12.

<sup>5</sup> *Report and Order*, ¶ 1

the comments *were* late-filed, the Commission ignored its long-standing precedent, and did not even address the arguments presented in Mr. Self's Comments in the Order.<sup>6</sup> Other than briefly mentioning the existence of Mr. Self's Comments, the Commission failed to provide any consideration to any of the facts or arguments discussed therein.

The short-shrift given Mr. Self's Comments are understandable, in light of the light-speed action taken in the proceeding. Only twelve business days after the reply comment deadline, the Commission issued the Order. Such rapid action in issuing the Order is particularly interesting given the fact that a large number of similarly-contested rulemakings from prior years have yet to be resolved.<sup>7</sup>

In light of the fact that no consideration of Mr. Self's Comments made its way into the Order, Mr. Self filed the Petition. In the Petition, Mr. Self argued that the issuance of the Order was a clear error, and that the Commission must consider whether the proposed reallocation was an attempt to move Station WMXV into the Florence-Muscle Shoals radio market. Since Littleville is seven miles closer to the heart of the Florence-Muscle Shoals radio market, the Petition argued that a minor change application could be filed to change the transmitter site of Station WMXV that would result in station's providing coverage to most, if not all, of the Florence Urbanized Area.

Perhaps recognizing the precarious state of its proposal, Clear Channel did provide a *Tuck* analysis in its Opposition. However, as explained below, that analysis does not provide any additional support for the reallocation of Channel 278A from Russellville to Littleville. Despite

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<sup>6</sup> See e.g., *Rose Hill, Trenton, Aurora, and Ocrakoke, North Carolina*, 15 FCC Rcd 10739, nt. 2 (2000); See also *Wallace, Idaho and Lolo, Montana*, 14 FCC Rcd 21110, nt. 1 (1999).

<sup>7</sup> See e.g., *FM Table of Allotments, Keeseville, New York, et al*, MB Docket 02-23 (last round of pleadings filed in September 2002). See also *Petition For Rulemaking, First Broadcasting Investment Partners, LLC*, RM-10960, Rept. No. 2657, pg. 5 (31 docketed proceedings in 2002 remain pending, and 36 Petitions for Rulemaking filed in 2002 have yet to be docketed).

the Order's insistence to the contrary,<sup>8</sup> Clear Channel has not provided any assurance that it will not modify the WMXV to specify a new site in the heart of the Florence Urbanized market that would also provide requisite coverage to Littleville.

## II. DISCUSSION

### A. Clear Channel's Tuck Analysis Fails to Demonstrate Littleville's Independence from Florence Urbanized Area.

In its Opposition, Clear Channel valiantly attempts to demonstrate the independence of Littleville from the Florence Urbanized Area. However, a closer analysis of its showing fails to conclusively prove that Littleville is an independent community worthy of the reallocation of Channel 278A.

A *Tuck* analysis utilizes a three-part test to determine whether a community is sufficiently independent so as to enable an allotment be eligible as a first local service under the Commission's FM assignment policies and procedures.<sup>9</sup>

First, the Commission will examine the extent to which the proposed facility will serve the urbanized area. As noted in the Petition, when Clear Channel changes the transmitter site of Station WMXV, as it is most likely going to do, it will serve most, if not the entire, Florence Urbanized Area. It already serves at least 18% of the urbanized area at its currently licensed site.<sup>10</sup> Since a Class A facility has a city-grade contour extending approximately 10 miles, a

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<sup>8</sup> See Order, ¶ 3 ("Clear Channel has made a commitment to operate Station WMXV at its licensed site.")

<sup>9</sup> *Fay and Richard Tuck*, 3 FCC Rcd 5374 (1988). See also *FM Assignment Policies and Procedures*, 90 FCC 2d 88 (1988) (establishing the FM allotment priorities as (1) first fulltime aural service; (2) second fulltime aural service, (3) first local service, and (4) other public interest matters, with co-equal weight given to Priorities (2) and (3)).

<sup>10</sup> See Order, ¶ 3

hypothetical minor modification application could specify a transmitter site at least 10 miles north of Littleville, that would deliver a city-grade contour to Littleville.<sup>11</sup>

Second, the Commission will examine the relative size difference between the two communities and the proximity between the two communities. In the instant case, the population of Florence (36,264) is 37 times greater than the population of Littleville (978), and just 16 miles distant from Littleville.<sup>12</sup> Previously, the Commission has found that a community one-ninth of the size of the larger community, which is located within 16 miles from the smaller community, would factor against finding a community independent of the urbanized area.<sup>13</sup> Therefore, with respect to the first two factors, there is a strong indication that Littleville is substantially overshadowed by the Florence Urbanized Area.

The final factor, the interdependence between the two communities, focuses on eight criteria, a discussion of each is provided below. As is clear from this discussion, coupled with the serious questions arising from the first two elements of the *Tuck* analysis, the population of Littleville relies upon Florence for much of its well-being.

- (1) *the extent to which the community residents work in the larger metropolitan area rather than the specified community;*

Littleville is located on a main north-south route in northern Alabama. Specifically, US 43, which runs from Florence, Alabama, south beyond Russellville, Alabama, passes directly through Littleville, and delivers a Littleville resident into the heart of Florence, a trip of 16 miles, in approximately 23 minutes.<sup>14</sup>

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<sup>11</sup> More realistically, Clear Channel could relocate WMXV to one of the seven towers it owns within the Florence Urbanized Area. (ASR Numbers 1036914, 1036915, 1036916, 1036917, 1061608, 1061609, 1242986)

<sup>12</sup> See Exhibit A, attached hereto.

<sup>13</sup> *RKO General, Inc.*, 5 FCC Rcd 3222, ¶ 12 (1990)

<sup>14</sup> See Exhibit A.

As a demonstration of this accessibility, 49.5% of Littleville work force works outside of Colbert County,<sup>15</sup> and the average daily commute for Littleville residents is 24.3 minutes.<sup>16</sup> Since at least half of the population works outside of Colbert County, and the average commute is 24 minutes each day, it is reasonable to assume that a majority of the Littleville residents are traveling up US 43 to Florence, Alabama, which is located in Lauderdale County.

Moreover, since 19.9% of the employed population of Littleville are employed in “management, professional, and related occupations,” 32.2% of the population are employed in “production, transportation, and material moving occupations,” and 22.4% of the Littleville population are employed in “sales and office professions,”<sup>17</sup> it is very likely that the majority of this population is traveling north each day, since there are a limited number of businesses in Littleville that would fall within these categories.<sup>18</sup>

Therefore, given the highly rural nature of Littleville, the established close proximity to the Florence Urbanized Area,<sup>19</sup> and fact that the average commute for Littleville residents is more than 24 minutes each day to work, it is clear that Littleville residents do not rely upon their community for their livelihood, and instead cast their view northward.

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<sup>15</sup> US Census Bureau, American FactFinder, Profile of Selected Economic Characteristics, Littleville Town, Alabama, attached hereto as Exhibit B

<sup>16</sup> US Census Bureau, American FactFinder, Employment Status and Commuting to Work, Alabama-Place (2004), attached hereto as Exhibit C

<sup>17</sup> *Id*

<sup>18</sup> *See Petition for Rulemaking*, Exhibit 4, filed September 24, 2003.

<sup>19</sup> Although Clear Channel argues that there are communities between Littleville and the Florence Urbanized Area, attached hereto as Exhibit D is a close-in map of the area between Littleville and the border of the Florence Urbanized Area, and there are in fact no such communities. *See Opposition*, pg 4

- (2) whether the smaller community has its own newspaper or other media that covers the community's needs and interests;

Littleville does not have any local media. Instead, it relies upon the media in Florence, and to a lesser degree, Russellville, for its news and entertainment. According to Clear Channel, Littleville's sole media outlet is a quarterly newsletter published by Littleville's mayor.<sup>20</sup>

- (3) whether community leaders and residents perceive the specified community as being an integral part of, or separate from, the larger metropolitan area;

Other than the unpublished, unverified, and clearly outdated "town history" provided in its Comments,<sup>21</sup> Clear Channel has failed to provide any other basis for support under this criteria, other than the fact that Littleville was incorporated in 1956.

- (4) whether the specified community has its own local government and elected officials;

Littleville has its own mayor, city council, and other various elected village officials.

- (5) whether the smaller community has its own telephone book provided by the local telephone company or zip code;

Littleville does not have its own telephone book, nor does it have its own zip code. Instead, it shares its zip code with other communities, and has its phone book listings included with Florence and other communities in the Florence Urbanized Area.

- (6) whether the community has its own commercial establishments, health facilities, and transportation systems;

Littleville has several local commercial establishments. It does not have its own health facilities. Also, there is no public transportation within Littleville.

- (7) the extent to which the community and central city are part of the same advertising market;

Littleville is part of the Florence-Muscle Shoals Arbitron Metro Market, and the Huntsville-Florence DMA. Additionally, the major newspaper, the Florence Times Daily, is

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<sup>20</sup> *Opposition*, pg. 5.

<sup>21</sup> *Petition for Rulemaking*, Exhibit 2



owned by another media conglomerate, the New York Times Company, and “serves Lauderdale, Colbert, Franklin and Lawrence counties along with parts of Marion and Winston counties in Alabama”<sup>22</sup>

These factors, coupled with the complete lack of local media, is conclusive evidence that Littleville does not have an independent advertising market from that of Florence.

- (8) the extent to which the specified community relies on the larger metropolitan area for various municipal services, such as police, fire protection, schools, and libraries.

Littleville does not have its own school district, or public library. It does have its own volunteer fire department, police department, and other municipal services.

Based on this discussion, it is clear that a majority of the factors point to an interdependent relationship between Florence and Littleville. The first two elements, the service delivered to the urbanized area and size and proximity of Station WMXV to Florence, conclusively demonstrate that Littleville is substantially over-shadowed by the Florence Urbanized Area, and that Station WMXV is already considered a Florence station.

Moreover, Factors (1), (2), (3), (5) and (7) are strong indicators of this interdependence. Only Factors (4) and (6) lend support to Clear Channel’s proposition that Littleville is an independent community under the *Tuck* analysis. However, these two factors are the same as those used to determine whether Littleville is a community for allotment purposes, and Mr. Self has never contested that point. These factors, by themselves, however, do not demonstrate that Littleville is not largely interdependent on the Florence Urbanized Area.

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<sup>22</sup> See <http://www.timesdaily.com/apps/pbcs.dll/section?Category=ABOUT> (last visited May 11, 2004).

**B. Clear Channel's Pitstop Move-In is not in the Public Interest**

As noted in his Comments and Petition, the proposed reallocation of Channel 278A, the concurrent licensing of Station WMXV as a Littleville station, is merely the first step to moving Station WMXV from a largely rural area into an urbanized area. Previously, the Commission has raised concerns about this type of activity proposed by Clear Channel in other markets.<sup>23</sup> However, in this case, the factors discussed above present a much more egregious case than that in *Chillicothe*. Not only is the population of Littleville substantially less than Ashville, Littleville lacks many of the civic organizations and other community-based factors that would bind the Littleville residents into a cohesive community.

Moreover, as demonstrated in the attached Engineering Study, attached hereto as Exhibit E, it is clear that the proposed reallocation of Channel 278 to Littleville will open the window to a variety of options to implement the channel change. As in *Chillicothe*, Clear Channel has not verified that it will continue to operate at its licensed site. If past is prologue, one can expect that the implementing construction permit application will specify a site different from that which it is currently licensed<sup>24</sup>

Specifically, Exhibits I-III of the attached Engineering Study demonstrate that there is a huge zone of available area to locate a new transmitter for Station WMXV that stretches from Russellville due north to the heart of Florence. Moreover, Exhibit IV demonstrates that a tower site could be located well north of Littleville, and in heart of the Florence Urbanized Area, and still comply with the Commission's principal community coverage requirements. In light of the

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<sup>23</sup> *FM Table of Allotments, Chillicothe and Ashville, OH*, 18 FCC Rcd 11,230 (2003).

<sup>24</sup> In fact, Clear Channel did not even wait until the ink was dry on the decision granting the move-in for Station WFCB when it filed its construction permit specifying a site located closer to the urbanized area than the station's new community of license. *See Application of Clear Channel Broadcasting Licenses, Inc.*, BPH-20031112AIA.

Commission's oft-stated policy of maintaining existing services in communities with few local aural services, the public interest would not be served by permitting WMXV to move to Florence.<sup>25</sup>

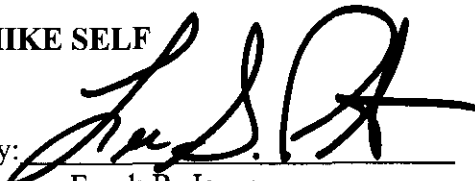
### III. CONCLUSION

It is clear, therefore, that the grant of Clear Channel's Petition was in error, and that the Commission should reconsider the move-in of Station WMXV into the Florence Urbanized Area. Clear Channel has failed to demonstrate that Littleville is an independent community for allotment purposes, and, in light of its past actions, can provide no assurances that Station WMXV will not be soon broadcasting from the center of the Florence Urbanized Area.

Therefore, Mike Self respectfully requests that the grant of the reallocation of Channel 278A from Russellville to Littleville be rescinded, and that the Petition for Rulemaking be denied.

Respectfully submitted,

MIKE SELF

By: 

Frank R. Jazzo  
Lee G. Petro

His Attorneys

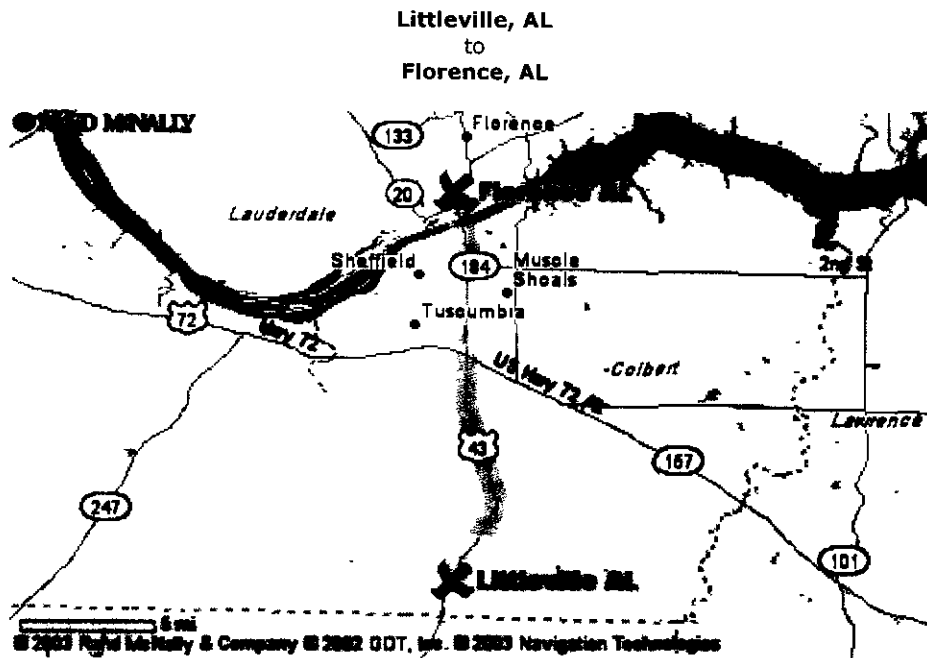
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May 12, 2004

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<sup>25</sup> *Modification of FM and TV Authorizations to Specify a New Community of License*, 5 FCC Rcd 7094, 7097 (1990) ("the public has a legitimate expectation that existing service will continue, and this expectation is a factor which we must consider independently against the service benefits that may result from reallocating a channel from one community to another").

**EXHIBIT A**



Find it in the 2004 Road Atlas

Littleville, AL

• page 4, grid section B-4

Florence, AL

• page 4, grid section A-4

**Estimated Total Driving Time**  
23 minutes

**Estimated Total Driving Distance**  
16 miles

**Total Number of Steps:**  
10

Step	Directions	Distance
1	You are at Littleville,AL	
2	Go S on US-43 S (AL-13 S, AL-17 S, Aw Todd Hwy) for 240 feet	< 0.1 miles
3	Turn around onto US-43 N (AL-13 N, AL-17 N, Aw Todd Hwy)	9 miles
4	Continue onto US-43 N (US-72 E, AL-2 E, AL-13 N, AL-17 N, AL-20 W, AL-157 W, Lee Hwy)	4.3 miles
5	Bear right onto US-43 (US-72, AL-2, AL-13, AL-17, AL-20, AL-157, Jackson Hwy)	0.8 miles
6	Continue onto US-43 N (US-72 E, AL-2 N, AL-13 N, AL-17 N, AL-20 W, AL-157 N, Lee Hwy, University of North Alabama Hwy)	0.7 miles
7	Continue onto US-43 N (US-72 E, AL-2 N, AL-13 N, AL-17 N, AL-157 N, Lee Hwy, Mitchell Blvd, University of North Alabama Hwy)	0.2 miles
8	Continue onto US-43 (US-72, AL-2, AL-13, AL-17, AL-157, Court St, Lee Hwy, University of North Alabama Hwy)	0.4 miles
9	Turn right onto US-43 (US-72, AL-2, AL-13, AL-17, AL-157, Lee Hwy, Tennessee St, University of North Alabama Hwy)	< 0.1 miles
10	You are at Florence,AL	

**EXHIBIT B**



U.S. Census Bureau

American FactFinder

10 Years on the Web



## Quick Tables

DP-3 Profile of Selected Economic Characteristics 2000  
 Data Set Census 2000 Summary File 3 (SF 3) - Sample Data  
 Geographic Area **Littleville town, Alabama**

NOTE: Data based on a sample except in P3, P4, H3, and H4. For information on confidentiality protection, sampling error, nonsampling error, and definitions see <http://factfinder.census.gov/home/en/datanotes/expsf3.htm>

Subject	Number	Percent
<b>EMPLOYMENT STATUS</b>		
Population 16 years and over	746	100.0
In labor force	476	63.8
Civilian labor force	476	63.8
Employed	447	59.9
Unemployed	29	3.9
Percent of civilian labor force	6.1	(X)
Armed Forces	0	0.0
Not in labor force	270	36.2
<b>Females 16 years and over</b>		
In labor force	228	57.6
Civilian labor force	228	57.6
Employed	211	53.3
<b>Own children under 6 years</b>		
All parents in family in labor force	56	81.2
<b>COMMUTING TO WORK</b>		
Workers 16 years and over	438	100.0
Car, truck, or van -- drove alone	368	84.0
Car, truck, or van -- carpooled	52	11.9
Public transportation (including taxicab)	3	0.7
Walked	6	1.4
Other means	2	0.5
Worked at home	7	1.6
Mean travel time to work (minutes)	24.3	(X)
<b>Employed civilian population 16 years and over</b>		
447	100.0	
<b>OCCUPATION</b>		
Management, professional, and related occupations	89	19.9
Service occupations	42	9.4
Sales and office occupations	100	22.4
Farming, fishing, and forestry occupations	0	0.0
Construction, extraction, and maintenance occupations	72	16.1
Production, transportation, and material moving occupations	144	32.2
<b>INDUSTRY</b>		
Agriculture, forestry, fishing and hunting, and mining	7	1.6
Construction	42	9.4
Manufacturing	141	31.5
Wholesale trade	13	2.9
Retail trade	66	14.8
Transportation and warehousing, and utilities	38	8.5
Information	9	2.0
Finance, insurance, real estate, and rental and leasing	9	2.0
Professional, scientific, management, administrative, and waste management services	6	1.3
Educational, health and social services	60	13.4
Arts, entertainment, recreation, accommodation and food services	21	4.7
Other services (except public administration)	18	4.0
Public administration	17	3.8

Subject	Number	Percent
<b>CLASS OF WORKER</b>		
Private wage and salary workers	361	80.8
Government workers	59	13.2
Self-employed workers in own not incorporated business	26	5.8
Unpaid family workers	1	0.2
<b>INCOME IN 1999</b>		
<b>Households</b>	<b>381</b>	<b>100.0</b>
Less than \$10,000	40	10.5
\$10,000 to \$14,999	41	10.8
\$15,000 to \$24,999	72	18.9
\$25,000 to \$34,999	52	13.6
\$35,000 to \$49,999	77	20.2
\$50,000 to \$74,999	76	19.9
\$75,000 to \$99,999	22	5.8
\$100,000 to \$149,999	1	0.3
\$150,000 to \$199,999	0	0.0
\$200,000 or more	0	0.0
Median household income (dollars)	32,583	(X)
<b>With earnings</b>	<b>289</b>	<b>75.9</b>
Mean earnings (dollars)	36,650	(X)
<b>With Social Security income</b>	<b>128</b>	<b>33.6</b>
Mean Social Security income (dollars)	11,150	(X)
<b>With Supplemental Security Income</b>	<b>22</b>	<b>5.8</b>
Mean Supplemental Security Income (dollars)	4,623	(X)
<b>With public assistance income</b>	<b>7</b>	<b>1.8</b>
Mean public assistance income (dollars)	3,271	(X)
<b>With retirement income</b>	<b>90</b>	<b>23.6</b>
Mean retirement income (dollars)	7,777	(X)
<b>Families</b>	<b>289</b>	<b>100.0</b>
Less than \$10,000	20	6.9
\$10,000 to \$14,999	24	8.3
\$15,000 to \$24,999	50	17.3
\$25,000 to \$34,999	41	14.2
\$35,000 to \$49,999	67	23.2
\$50,000 to \$74,999	64	22.1
\$75,000 to \$99,999	22	7.6
\$100,000 to \$149,999	1	0.3
\$150,000 to \$199,999	0	0.0
\$200,000 or more	0	0.0
Median family income (dollars)	35,913	(X)
Per capita income (dollars)	14,372	(X)
<b>Median earnings (dollars).</b>		
Male full-time, year-round workers	31,852	(X)
Female full-time, year-round workers	21,250	(X)
<b>POVERTY STATUS IN 1999 (below poverty level)</b>		
<b>Families</b>	<b>32</b>	<b>(X)</b>
Percent below poverty level	(X)	11.1
<b>With related children under 18 years</b>	<b>21</b>	<b>(X)</b>
Percent below poverty level	(X)	15.7
<b>With related children under 5 years</b>	<b>18</b>	<b>(X)</b>
Percent below poverty level	(X)	32.7
<b>Families with female householder, no husband present</b>	<b>8</b>	<b>(X)</b>
Percent below poverty level	(X)	24.2
<b>With related children under 18 years</b>	<b>8</b>	<b>(X)</b>
Percent below poverty level	(X)	32.0
<b>With related children under 5 years</b>	<b>8</b>	<b>(X)</b>
Percent below poverty level	(X)	66.7
<b>Individuals</b>	<b>123</b>	<b>(X)</b>



Subject	Number	Percent
Percent below poverty level	(X)	13.1
18 years and over	93	(X)
Percent below poverty level	(X)	12.8
65 years and over	22	(X)
Percent below poverty level	(X)	16.1
Related children under 18 years	30	(X)
Percent below poverty level	(X)	14.2
Related children 5 to 17 years	13	(X)
Percent below poverty level	(X)	8.7
Unrelated individuals 15 years and over	29	(X)
Percent below poverty level	(X)	25.2

(X) Not applicable

[Detailed Occupation Code List \(PDF 42KB\)](#)[Detailed Industry Code List \(PDF 44KB\)](#)[User note on employment status data \(PDF 63KB\)](#)

Source: U.S. Census Bureau, Census 2000 Summary File 3, Matrices P30, P32, P33, P43, P46, P49, P50, P51, P52, P53, P58, P62, P63, P64, P65, P67, P71, P72, P73, P74, P76, P77, P82, P87, P90, PCT47, PCT52, and PCT53

**EXHIBIT C**

U.S. Census Bureau

10 Years on the Web

American FactFinder



## Geographic Comparison Table

GCT-P12 Employment Status and Commuting to Work 2000  
 Data Set Census 2000 Summary File 3 (SF 3) - Sample Data  
 Geographic Area Alabama -- Place

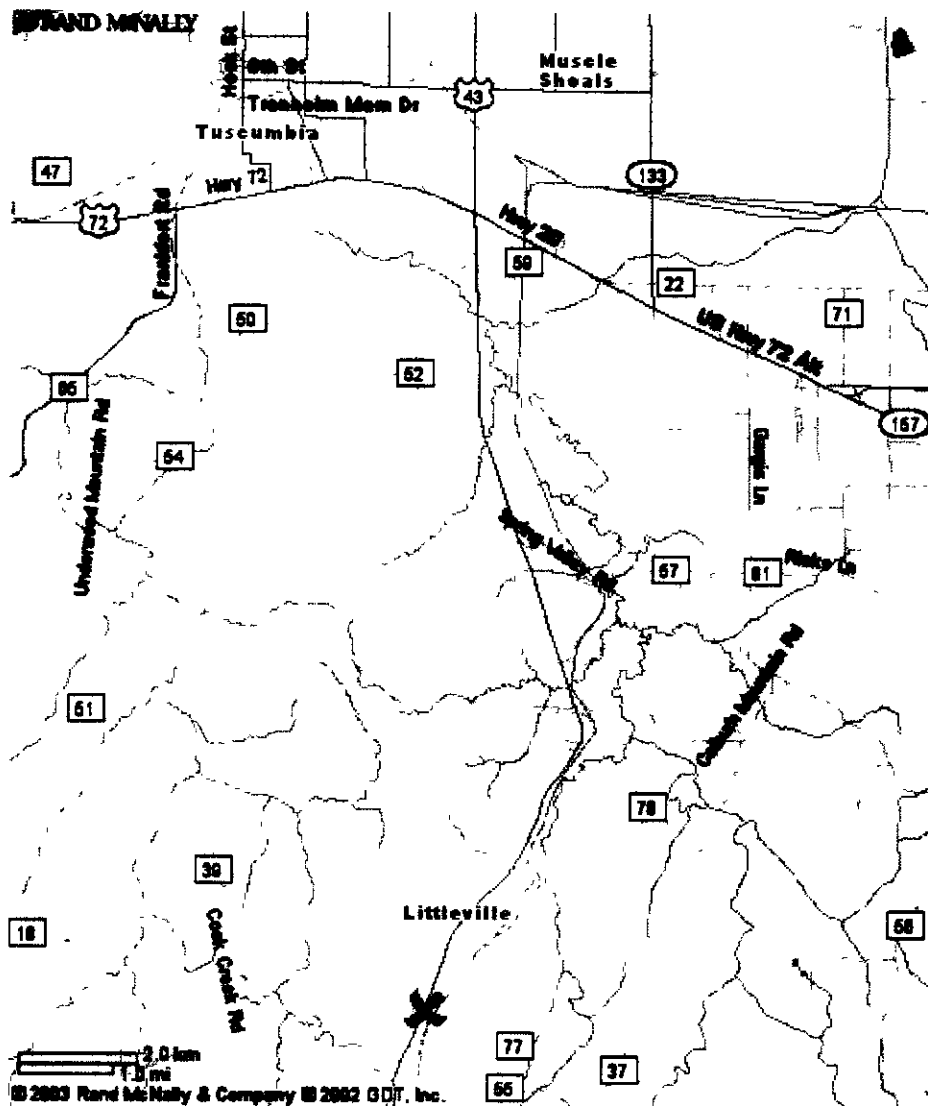
NOTE Data based on a sample except in P3, P4, H3, and H4 For information on confidentiality protection, sampling error, nonsampling error, and definitions see <http://factfinder.census.gov/home/en/datanotes/expsf3.htm>

Geographic area	Population 16 years and over-- Percent in labor force			Civilian labor force-- Percent unemployed	Own children-- Percent with all parents in family in labor force		Workers 16 years and over			
	Total	Female			Under 6 years	6 to 17 years	Percent in car-pools	Percent using public transportation	Who did not work at home-- Mean travel time to work (minutes)	Percent worked outside county of residence
		Total	With own children under 6 years							
Alabama	59.7	52.8	62.3	6.2	58.4	65.6	12.3	0.5	24.8	25.2
PLACE										
Abbeville city, Henry County	51.2	44.4	54.6	6.1	47.3	69.5	16.1	0.4	19.8	30.5
Adamsville city, Jefferson County	62.6	56.0	61.8	2.5	53.3	69.1	14.2	0.0	30.3	9.4
Addison town, Winston County	58.7	49.8	46.8	1.8	41.3	59.3	18.5	0.0	21.1	28.1
Akron town, Hale County	46.4	46.6	40.5	6.7	33.3	60.7	19.9	0.0	38.7	71.7
Alabaster city, Shelby County	74.0	63.4	56.5	2.4	52.4	65.3	8.7	0.1	30.3	54.5
Albertville city, Marshall County	60.9	49.0	60.8	5.9	60.8	69.2	13.3	0.2	17.9	11.5
Alexander City city, Tallapoosa County	54.6	48.8	74.0	6.3	63.6	68.9	15.2	0.1	18.5	12.2
Alexandria CDP, Calhoun County	65.7	57.9	65.0	2.1	66.4	73.4	7.1	0.5	27.3	20.4
Aliceville city, Pickens County	44.4	40.4	68.8	15.7	52.6	57.5	17.0	0.0	22.4	27.0
Allgood town, Blount County	62.2	53.5	30.2	4.3	35.1	60.1	13.3	0.0	37.0	37.8
Altoona town	44.6	33.8	44.8	6.3	52.2	37.0	19.4	0.0	35.0	57.5
Blount County (part)	0.0	0.0	(X)	(X)	(X)	0.0	(X)	(X)	(X)	(X)
Etowah County (part)	44.9	34.0	44.8	6.3	52.2	39.4	19.4	0.0	35.0	57.5
Andalusia city, Covington County	53.4	46.5	62.7	9.4	63.1	67.7	10.7	0.2	15.8	11.6
Anderson town, Lauderdale County	46.8	40.9	60.0	10.4	66.7	59.6	3.6	0.0	34.0	41.1
Anniston city, Calhoun County	52.2	45.8	64.5	8.3	63.5	60.1	12.4	0.9	19.4	10.7
Arab city	58.8	46.9	55.3	4.1	57.4	70.5	9.4	0.0	26.5	43.4
Cullman County (part)	100.0	(X)	(X)	0.0	(X)	(X)	0.0	0.0	60.0	100.0
Marshall County (part)	58.7	46.9	55.3	4.1	57.4	70.5	9.5	0.0	26.4	43.2
Ardmore town, Limestone County	58.5	51.8	81.1	5.5	73.9	63.6	16.9	0.0	29.5	61.5
Argo town	66.6	55.2	54.3	2.2	53.5	65.1	13.1	0.2	32.3	77.5
Jefferson County (part)	75.6	62.8	100.0	0.0	100.0	100.0	6.5	0.0	27.3	25.8
St Clair County (part)	66.0	54.7	51.3	2.4	51.2	64.0	13.6	0.3	32.6	81.6
Anton town, Dale County	46.7	41.4	40.3	8.0	39.2	59.4	11.5	0.0	24.5	35.2
Arley town, Winston County	53.6	49.6	52.6	3.5	46.2	61.9	8.5	2.1	30.1	47.9
Ashford city, Houston County	55.3	47.5	72.7	6.3	61.7	70.2	9.6	1.1	24.0	11.2
Ashland city, Clay County	45.6	38.5	66.1	4.1	66.4	57.9	12.8	0.0	18.4	23.2
Ashville town, St Clair County	51.6	44.0	59.2	6.6	59.0	56.1	18.3	0.0	32.5	57.1
Athens city, Limestone County	59.1	51.3	63.2	4.8	60.8	68.6	12.5	0.3	21.4	35.7
Atmore city, Escambia County	54.5	48.7	60.0	8.8	56.4	64.2	22.4	0.8	22.0	26.6
Attalla city, Etowah County	54.7	44.7	39.8	4.5	37.6	48.9	11.9	0.0	22.8	20.1
Auburn city, Lee County	56.1	52.1	62.3	7.4	56.0	70.1	9.4	1.2	16.2	12.5
Autaugaville town, Autauga County	51.4	43.5	90.0	10.4	71.9	46.6	16.7	0.4	23.6	32.7
Avon town, Houston County	65.5	56.1	65.0	4.3	73.3	53.2	5.9	0.0	22.0	7.3
Babbie town, Covington County	57.7	50.8	72.7	6.7	78.4	59.8	11.4	0.0	22.1	20.5
Baileytown town, Cullman County	60.0	48.9	37.1	3.5	38.3	71.4	3.4	0.0	22.5	37.0

Geographic area	Population 16 years and over-- Percent in labor force			Civilian labor force-- Percent unemployed	Own children-- Percent with all parents in family in labor force		Workers 16 years and over			
	Total	Female			Under 6 years	6 to 17 years	Percent in car-pools	Percent using public transportation	Who did not work-- Mean travel time to work (minutes)	Percent worked outside county of residence
		Total	With own children under 6 years							
Libertyville town, Covington County	56.6	40.4	0.0	2.3	0.0	54.5	17.4	0.0	29.9	15.2
Lincoln city, Talladega County	59.5	50.0	55.9	5.5	57.1	62.3	6.0	0.0	28.9	63.9
Linden city, Marengo County	47.4	37.1	58.9	6.3	60.8	59.2	18.1	0.0	19.8	20.9
Lineville city, Clay County	50.9	46.7	63.1	8.8	60.5	61.7	15.4	0.6	19.2	16.8
Lipscomb city, Jefferson County	58.3	50.2	66.4	6.0	58.5	66.6	15.6	1.3	23.3	7.6
Lisman town, Choctaw County	50.9	53.8	94.7	16.3	61.4	68.8	15.3	7.7	36.6	32.2
Littleville town, Colbert County	63.8	57.6	79.7	6.1	81.2	76.3	11.9	0.7	24.3	49.5
Livingston city, Sumter County	47.8	46.9	48.3	9.8	36.0	52.2	11.0	0.8	16.6	20.2
Loachapoka town, Lee County	47.7	48.4	71.4	9.4	75.0	76.5	6.3	0.0	25.8	16.7
Lockhart town, Covington County	58.1	52.0	57.1	16.1	46.4	62.5	31.1	0.0	37.2	37.4
Locust Fork town, Blount County	56.9	43.0	40.6	3.1	34.1	50.3	9.1	0.5	40.6	71.6
Louisville town, Barbour County	41.7	31.4	32.4	2.3	39.5	40.7	6.9	0.0	23.6	28.4
Lowndesboro town, Lowndes County	52.5	34.7	60.0	12.3	27.3	40.0	16.1	0.0	31.6	50.0
Loxley town, Baldwin County	62.6	58.6	71.4	5.0	67.9	69.0	12.3	0.0	23.5	22.8
Luverne city, Crenshaw County	48.6	39.6	70.2	4.1	61.7	72.4	17.2	0.0	25.5	34.7
Lynn town, Winston County	49.9	39.9	35.7	7.6	30.8	49.0	8.9	0.0	31.9	32.2
McDonald Chapel CDP, Jefferson County	36.6	27.5	0.0	0.0	0.0	45.2	5.9	0.0	23.7	5.5
Macedonia town, Pickens County	58.0	50.5	72.2	9.4	86.4	88.4	14.9	0.0	32.7	65.3
McIntosh town, Washington County	49.7	46.8	66.7	1.1	50.0	60.0	13.8	0.0	23.0	65.5
McKenzie town	43.1	28.4	55.6	5.8	39.4	55.8	15.3	0.0	35.6	39.2
Butler County (part)	43.1	28.4	55.6	5.8	39.4	55.8	15.3	0.0	35.6	39.2
Conecuh County (part)	(X)	(X)	(X)	(X)	(X)	(X)	(X)	(X)	(X)	(X)
McMullen town, Pickens County	31.6	27.8	100.0	11.1	100.0	100.0	18.8	0.0	24.1	43.8
Madison city	77.4	68.6	64.1	2.6	61.1	74.4	9.9	0.1	18.2	7.6
Limestone County (part)	73.5	57.1	0.0	0.0	0.0	(X)	0.0	0.0	21.0	100.0
Madison County (part)	77.4	68.6	64.5	2.6	61.8	74.4	9.9	0.1	18.2	7.2
Madrid town, Houston County	59.0	48.1	57.1	4.2	54.5	55.6	19.4	0.0	23.9	12.4
Malvern town, Geneva County	64.9	50.9	65.2	4.4	64.8	69.8	10.0	0.0	23.4	80.6
Maplesville town, Chilton County	57.7	53.2	54.1	1.7	39.5	62.2	19.6	0.7	25.1	34.0
Margaret town, St. Clair County	68.0	61.5	59.1	4.9	50.0	84.3	13.5	0.0	29.3	70.7
Marion city, Perry County	49.2	46.9	50.9	21.0	43.4	50.8	19.3	0.3	29.9	27.0
Maytown town, Jefferson County	52.5	49.8	63.6	7.4	69.0	64.0	16.5	0.0	31.8	11.0
Meadowbrook CDP, Shelby County	71.8	57.6	60.0	2.0	52.6	60.7	5.5	0.0	25.5	66.8
Memphis town, Pickens County	13.3	20.0	(X)	0.0	(X)	0.0	0.0	0.0	60.0	100.0
Mentone town, DeKalb County	51.5	44.8	57.9	2.0	47.4	51.5	13.7	0.0	33.8	21.3
Meridianville CDP, Madison County	70.4	63.0	70.3	2.6	67.6	78.9	8.4	0.7	25.0	4.9
Midfield city, Jefferson County	57.0	51.5	74.0	6.9	64.3	68.4	10.2	0.8	23.4	7.7
Midland City town, Dale County	61.0	59.1	53.5	6.4	52.7	70.4	15.7	0.4	24.5	69.0
Midway town, Bullock County	49.8	49.5	81.0	5.9	68.6	82.6	29.1	0.0	27.5	34.0
Mignon CDP, Talladega County	53.2	51.4	65.9	10.0	67.0	73.1	14.4	1.9	21.8	17.7
Millbrook city	73.5	65.7	64.7	4.9	57.6	74.4	13.4	0.6	25.6	78.2
Autauga County (part)	100.0	100.0	(X)	0.0	(X)	100.0	0.0	0.0	21.1	55.6
Elmore County (part)	73.4	65.7	64.7	4.9	57.6	74.2	13.5	0.6	25.6	78.3
Millport town, Lamar County	51.8	47.6	43.8	3.6	44.1	66.9	13.5	0.0	26.2	42.2
Millry town, Washington County	47.1	36.7	69.2	5.0	60.7	59.8	24.1	0.0	34.8	47.8
Minor CDP, Jefferson County	53.9	44.0	58.5	5.0	53.5	39.3	7.9	0.0	26.6	11.9
Mobile city, Mobile County	58.7	53.4	65.2	8.3	60.8	66.1	12.4	1.1	21.9	6.6
Monroeville city, Monroe County	53.1	48.5	71.4	7.0	70.7	71.2	6.7	0.3	17.7	10.6
Montevallo city, Shelby County	69.7	65.7	83.8	7.8	76.7	82.9	13.3	0.0	24.2	31.3
Montgomery city, Montgomery County	62.0	58.0	68.3	6.9	64.0	66.7	12.4	0.8	19.6	6.8
Moody town, St. Clair County	61.7	54.5	67.0	4.2	63.4	72.6	13.0	0.0	30.2	79.7
Moore's Mill CDP, Madison County	72.0	64.7	70.8	3.7	74.7	69.4	9.2	0.0	24.1	7.5
Moore'sville town, Limestone County	51.2	47.8	(X)	0.0	(X)	50.0	0.0	0.0	22.7	81.8

**EXHIBIT D**

## Littleville, AL



**Find it in the 2004 Road Atlas**

•page 4, grid section B-4

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**EXHIBIT E**



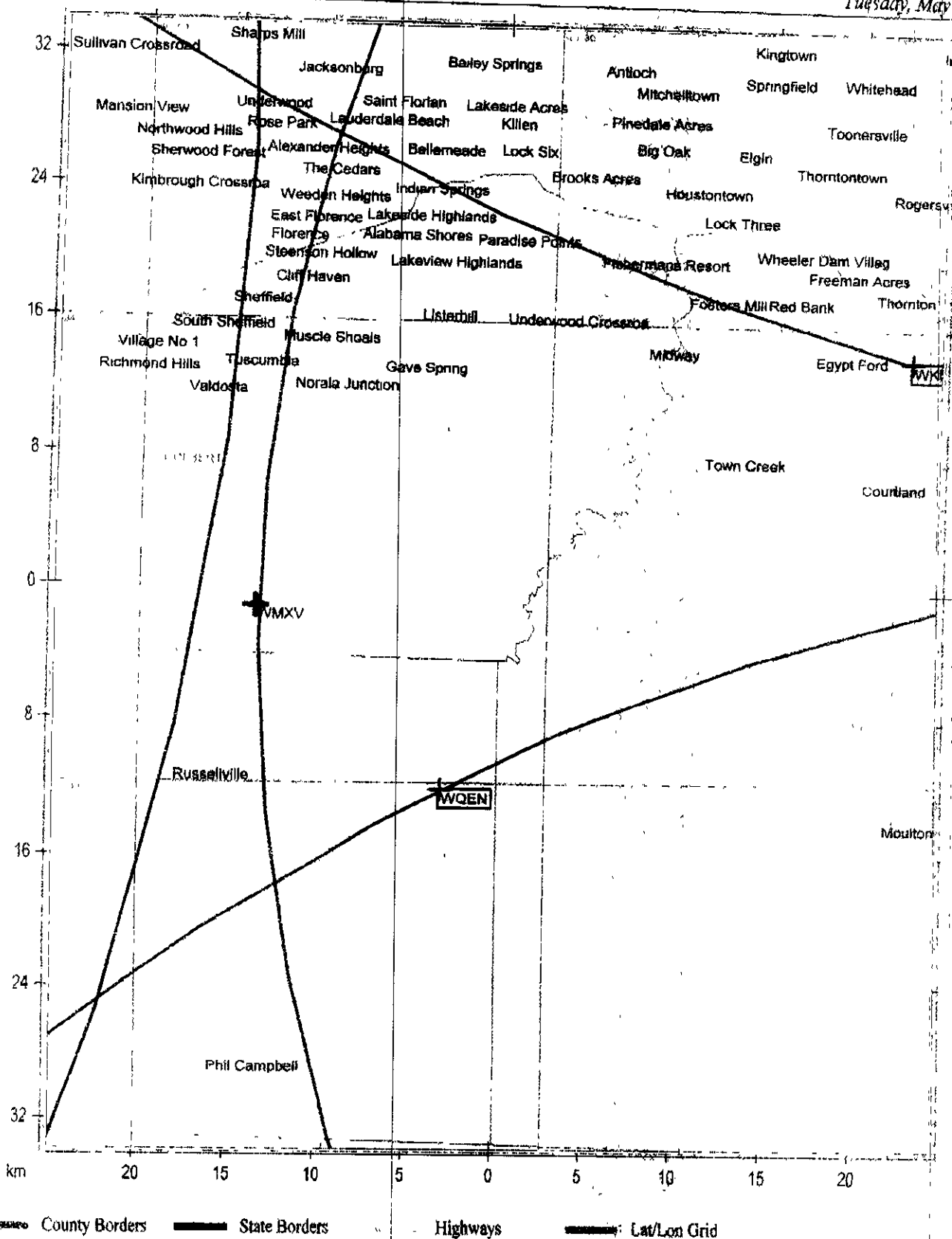




ComStudy

## EXHIBIT III

Tuesday, May 11, 2004

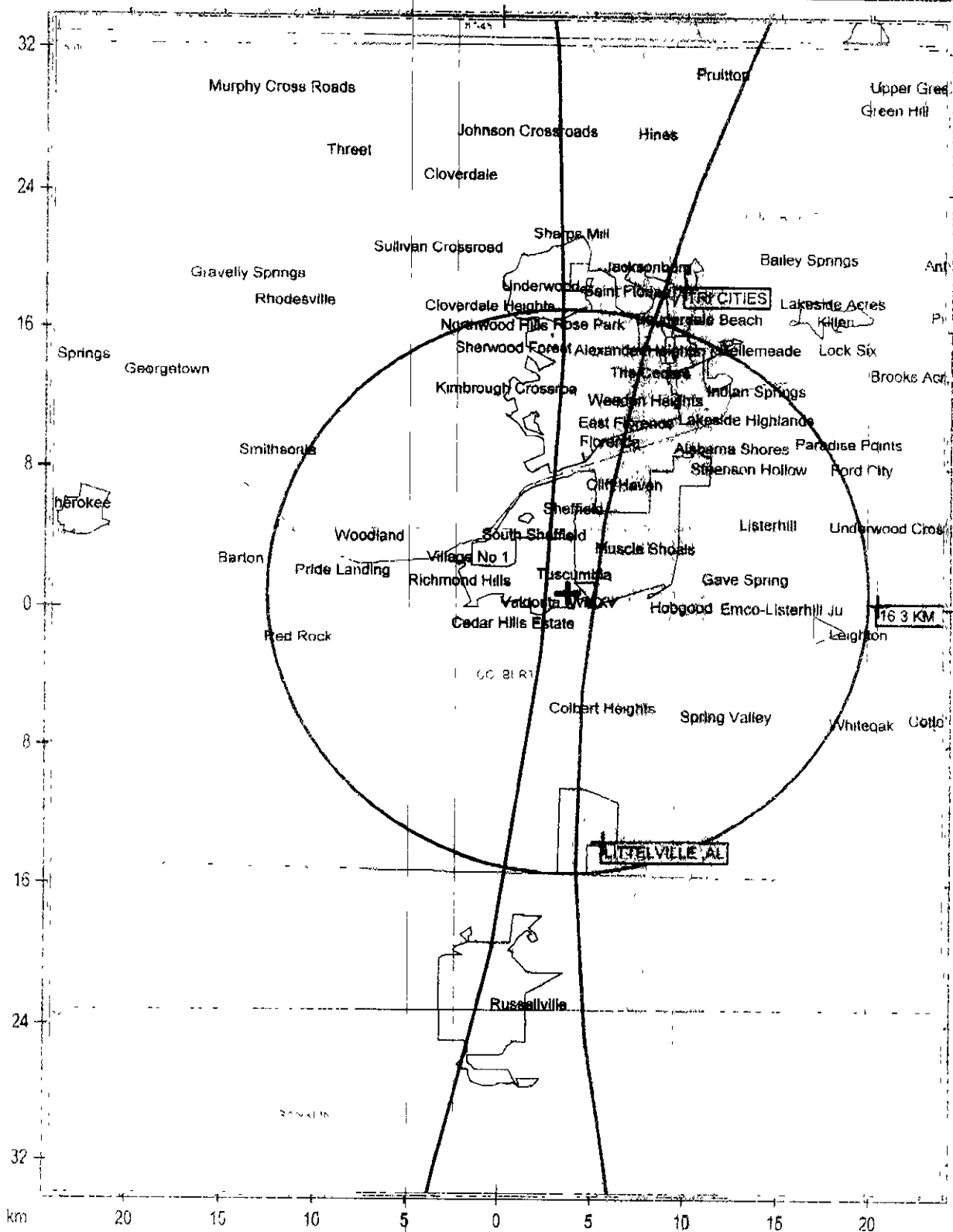


Map Scale: 1 320554 1 cm = 3.21 km V/H Size: 67.51 x 49.32 km

ComStudy

EXHIBIT IV

Wednesday, May 12, 2004



County Borders    State Borders    City Borders    Highways    Lat/Lon Grid

Map Scale: 1:320554    1 cm = 3.21 km    V/H Size: 67.51 x 47.93 km

**CERTIFICATE OF SERVICE**

I, Michelle Brown Johnson, a secretary in the law firm of Fletcher, Heald & Hildreth, P.L.C., do hereby certify that a copy of the foregoing "Reply" was sent this 12<sup>th</sup> day of May, 2004, by first-class United States Mail, postage prepaid to:

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